

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In Re:)	
)	
Margaret Hampton, <i>Debtor</i>)	Case No. 09-40066-399
)	
)	Chapter 13
U.S. Bank, N.A., by US Bank Home Mortgage (KY), loan)	
servicing agent for <i>Creditor</i>)	ORDER TO LIFT STAY
)	
vs.)	Hearing Date:
)	August 13, 2009
Margaret Hampton, <i>Debtor</i>)	Hearing Time: 9:30am
)	
and)	<u>Motion No 34</u>
)	
John V. LaBarge, Jr., <i>Trustee</i>)	

ORDER GRANTING RELIEF FROM STAY & Co-DEBTOR STAY

THIS MATTER comes on for consideration upon the Motion of U.S. Bank, N.A., its subsidiaries, affiliates, predecessors in interest, successors or assigns ("Creditor"), for its Motion for Relief from Stay, and based upon the pleadings filed and the evidence produced,

IT IS THEREFORE BY THE COURT ORDERED that U.S. Bank, N.A., its subsidiaries, affiliates, predecessors in interest, successors or assigns, is granted relief from the automatic stay imposed under 11 U.S.C. §362 and 1301 to foreclose the lien of its Deed of Trust as to the real property legally described as

**Lot 168 of SACRE COEUR II PLAT 4, according to the plat thereof
recorded in Plat Book 234, Pages 71 and 72 of the St. Louis County Records,
commonly known as 3809 Salvation Road, Florissant, MO 63034,**

by any lawful means including by exercise of the power of sale by the Trustee named in the Deed of Trust or by the duly appointed Successor Trustee, if one be appointed by Movant; and after the sale, to pursue any other remedies the purchaser may have pursuant to the terms of the promissory note and mortgage, including enforcing rights to possession of the premises

under the terms of the promissory note and Deed of Trust and in accordance with applicable non-bankruptcy state law, and

IT IS FURTHER ORDERED that of the \$750 attorney's fees and \$150 costs sought in the Motion for Relief, \$600 fees and \$150 costs may be assessed against the account of the Debtor, and

IT IS FURTHER ORDERED that the Chapter 13 Trustee is directed to discontinue payment on all claims secured by the real property that is the subject of this Motion for Relief. The Trustee is directed to resume payment on such claims upon notification pursuant to Local Bankruptcy Rule 3021-1(A), and


IT IS FURTHER ORDERED that this Order for Relief from the Automatic Stay shall be effective immediately and that there shall not be a stay of enforcement of this Order pursuant to Federal Rule of Bankruptcy Procedure 4001(a)(3) and all attorneys fees prayed for in the Motion for Relief are hereby granted, and

IT IS FURTHER ORDERED, AND THE COURT SPECIFICALLY FINDS, that the following arrearage figures, charges, fees and costs as prayed for in the Motion, plus any amounts that have come due since the filing of the Motion pursuant to the terms of the Promissory Note and Security Instrument, are allowed and may be assessed against the account of the Debtor in the amount of:

DESCRIPTION	AMOUNT
(2) Late Payments @ \$1,039.02 (5/09-6/09)	\$2,078.04
(2) Late Charges @ \$41.56 (5/09-6/09)	\$83.12
Suspense Balance	-\$23.67
Property Inspections	\$60.00
MFR Filing Fee	\$150.00
MFR Attorney Fees	\$600.00
Total	\$3,097.49

IT IS FINALLY ORDERED that relief from the automatic stay is applicable even if the case is converted, unless otherwise specifically ordered.

DATED: December 11, 2009
St. Louis, Missouri
Lat


Barry S. Schermer
Chief United States Bankruptcy Judge

Copies Mailed to the Following Parties

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DEBTOR

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